

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

Cr. No. 05-10164 GAO

GUILLERMO F. VASCO

MOTION FOR LEAVE TO CALL
KEVIN A. PERRY, JR. AS A HOSTILE WITNESS

Now comes the defendant, Guillermo Vasco, by court appointed counsel, and requests this Honorable Court for leave to call Kevin A. Perry, Jr. as a hostile witness. As reason therefore, the defendant states the following:

1. The witness, Kevin A. Perry, Jr., was the informant who cooperated and provided information to the government which was the basis of the current indictment.
2. The witness set up the alleged transaction which Mr. Vasco is accused of participating in.
3. The witness is expected to provide substantially exculpatory evidence for the defendant.
4. The witness was a defendant in another case (United States v. Perry et al., 02-cr-40030-NMG), has plead guilty and been sentenced by a federal court.
5. In the event that the government does not call Mr. Perry, the defendant will need to call him to testify on the defendant's behalf, but Mr. Perry is expected to be a hostile witness due to his role in negotiating the alleged transaction and his actions on behalf of the government.

WHEREFORE, for the reasons set forth above, the defendant requests that this Court grant leave for the defendant to call Mr. Perry as a hostile witness in the trial on this matter.

Respectfully Submitted,
By his Court-Appointed Attorney,

/s/ MELVIN NORRIS
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October 10, 2006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed this date through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent this date to those indicated as non-registered participants.

/s/ Melvin Norris
MELVIN NORRIS